

CHILDREN'S RIGHTS - AGE (OF MAJORITY, OF CONSENT, OF RESPONSIBILITY)

IV. CONCLUDING OBSERVATIONS

ICCPR

- Cyprus, ICCPR, A/49/40 vol. I (1994) 53 at paras. 317, 324 and 332.

Paragraph 317

It is of concern that the domestic law allows application of the death penalty to persons between 16 and 18 years of age, in conflict with the provisions of article 6, paragraph 5, of the Covenant. It is noted, however, that the death penalty is not applied in practice.

Paragraph 324

It is of concern that in a number of key areas children are not adequately protected under the terms of existing legislation. In particular, it is of concern that marriageable age is defined as the onset of puberty, that criminal responsibility begins at age 7 and that persons between 16 and 18 years of age are not considered child or youthful offenders and are subject to penal sanction.

Paragraph 332

With respect to article 24 of the Covenant, existing laws concerning the protection of children should be reviewed and amended as necessary to conform with the requirements of the Covenant. In particular, the minimum age for marriage, criminal responsibility, penal sanction and the imposition of the death penalty should be changed to conform with present international standards and the spirit of article 24, paragraph 1, of the Covenant.

See also:

- Cyprus, ICCPR, A/53/40 vol. I (1998) 33 at para. 195.

- United States of America, ICCPR, A/50/40 vol. I (1995) 52 at paras. 281 and 296.

Paragraph 281

The provisions in the legislation of a number of states which allow the death penalty to be pronounced for crimes committed by persons under 18 and the actual instances where such sentences have been pronounced and executed is deplored.

Paragraph 296

The authorities should take appropriate steps to ensure that persons are not sentenced to death for crimes committed before they were 18.

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- Sri Lanka, ICCPR, A/50/40 vol. I (1995) 75 at paras. 455, 460 and 473.

Paragraph 455

The low age of criminal responsibility and the stipulation within the Penal Code by which a child above 8 years of age and under 12 years of age can be held to be criminally responsible on the determination by the judge of the child's maturity of understanding as to the nature and consequence of his or her conduct are matters of profound concern.

Paragraph 460

It is noted that reforms are in place to raise the marriageable age for girls to 18. However, the current legislation permits the marriage of girls from the age of 12 and contains discriminatory provisions with regard to property between men and women, thus preventing women from fully enjoying the rights protected under articles 3 and 23.

Paragraph 473

Measures should be taken to ensure the protection of the child and in this regard particular attention is drawn to the Personal Status Act, which permits the marriage of a girl at the age of 12, and its incompatibility with the provisions of the Covenant.

- Zambia, ICCPR, A/51/40 vol. I (1996) 29 at para. 205.

It is of concern that provisions in the Penal Code fix eight years as the age of criminal responsibility and permit children to be charged jointly with adults and to be tried in the ordinary criminal courts.

- Peru, ICCPR, A/52/40 vol. I (1997) 28 at para. 159.

The existence of a number of provisions of the Civil Code that discriminate against women, such as the difference in the minimum age required for matrimony and the fact that single mothers under 16 years of age lack legal capacity to recognize their children, is of concern. This gives rise to problems of compatibility between Peruvian legislation and articles 3, 23, 24 and 26 of the Covenant.

- Sudan, ICCPR, A/53/40 vol. I (1998) 22 at para. 122.

A legal provision on a minimum age for marriage should be adopted.

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- Zimbabwe, ICCPR, A/53/40 vol. I (1998) 35 at para. 214.

The duality of the legal statutory law and customary law, which potentially leads to unequal treatment between individuals, particularly in the areas of marriage and inheritance laws, is of concern. Where customary law contravenes the Covenant or the statutory law, the customary law continues to be upheld and applied. Continued practices, in violation of various provisions of the Covenant, including articles 3 and 24, such as *kuzvarita* (pledging of girls for economic gain), *kuripa ngozi* (appeasement to the spirits of a murdered person), *lobola* (bride price), female genital mutilation, early marriage, the statutory difference in the minimum age of girls and boys for marriage, and other practices which are incompatible with the Covenant (articles 3, 7, 23, 24 and others) should be prohibited by legislation. The Government is urged to adopt adequate measures to prevent and eliminate prevailing social attitudes and cultural and religious practices hampering the realization of human rights by women.

- Israel, ICCPR, A/53/40 vol. I (1998) 45 at para. 325.

That the minimum age of marriage for girls, fixed by law at 17, may be reduced by the religious courts, and that no minimum age is fixed for men, is of concern. International standards should be taken into account for the age of majority in the Government's current review of the minimum marriageable age for men and women.

- Algeria, ICCPR, A/53/40 vol. I (1998) 52 at para. 359.

Provisions of the Penal Law that prescribe an increased number of offences for which the death penalty may be imposed and a lowering of the age to 16 for which a person may be liable to such a penalty should be brought into strict compliance with article 6 of the Covenant.

- United Republic of Tanzania, ICCPR, A/53/40 vol. I (1998) 57 at para. 397.

The Law of Marriage Act discriminates against women with regard to the minimum age for marriage. The Penal Code allows any person of African or Asiatic descent to marry, or permit the marriage of, a girl under the age of 12 provided that there is no intention to consummate the marriage until she attains that age. These discriminatory features should be eliminated from the law.

- Japan, ICCPR, A/54/40 vol. I (1999) 36 at para. 171.

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Planned new legislation against child prostitution and child pornography may not protect children under the age of 18 when the age limit for sexual consent is as low as 13. The absence of specific legal provisions prohibiting bringing of foreign children to Japan for the purpose of prostitution is of concern, despite the fact that abduction and sexual exploitation of children are subject to penal sanctions. The situation should be brought into compliance with the State party's obligations under articles 9, 17 and 24 of the Covenant.

- Austria, ICCPR, A/54/40 vol. I (1999) 42 at para. 190.

Existing legislation on the minimum age of consent for sexual relations in respect to male homosexuals is discriminatory on the grounds of sex and sexual orientation and should be revised to remove such discriminatory provisions.

- Chile, ICCPR, A/54/40 vol. I (1999) 44 at para. 217.

There should be a uniform age for marriage of males and females, and that age must ensure the mental maturity to ensure that the marriage is entered into with free and full consent, and must comply with the duty under article 24(1) to offer protection to minors.

- Hong Kong Special Administrative Region (China), ICCPR, A/55/40 vol. I (2000) 40 at para. 252.

The age of criminal responsibility should be raised from seven years so as to ensure the rights of children under article 24.

- Kuwait, ICCPR, A/55/40 vol. I (2000) 65 at para. 458.

Discrimination against women limits the enjoyment by women of their rights under the Covenant. In particular, pursuant to the Act on Personal Status, women cannot freely marry before they are 25 years of age, except with the approval of a guardian, who is usually the father or a judge, women's right to marry non-Kuwaiti citizens is restricted, and the age of marriage for men and women is different (17 for men, 15 for women).

- Venezuela, ICCPR, A/56/40 vol. I (2001) 49 at para. 77(18).

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The minimum marriageable age, 14 for girls and 16 for boys, and the fact that this age may be lowered without any limits for girls in case of pregnancy or childbirth, raises problems with respect to the fulfilment by the State party of its obligation under article 24, paragraph 1, to protect minors. Marriage at such an early age does not appear to be compatible with article 23 of the Covenant, which requires the free and full consent of the intending spouses. The early age of sexual consent (12) for girls is also of concern. The State party should amend the relevant law to bring it into line with articles 23, 24 and 3 of the Covenant.

- Syrian Arab Republic, ICCPR, A/56/40 vol. I (2001) 70 at para. 81(20).

The minimum marriageable age is 17 years for girls and 18 for boys. The fact that the minimum age can be reduced by a judge to 15 years for boys and 13 for girls with the father's consent poses a problem with regard to the State party's obligation, under article 24, paragraph 1, to protect minors. Marriage at such a young age hardly seems compatible with article 23 of the Covenant, whereby no marriage shall be entered into without the free and full consent of the intending spouses. Legislation should be amended to bring it into line with the provisions of articles 3, 23 and 24 of the Covenant.

- The Netherlands, ICCPR, A/56/40 vol. I (2001) 76 at para. 82(5).

Serious concern is expressed that the new law on assisted suicide is also applicable to minors who have reached the age of 12 years. It is noted that the law provides for the consent of parents or guardians of juveniles up to 16 years, while for those 16 to 18 years the parents' or guardian's consent may be replaced by the will of the minor provided that the minor can appropriately assess his or her interests in the matter. The Committee considers it difficult to reconcile a reasoned decision to terminate life with the evolving and maturing capacities of minors. In view of the irreversibility of euthanasia and assisted suicide, the Committee wishes to underline its conviction that minors are in particular need of protection.

- Monaco, ICCPR, A/56/40 vol. I (2001) 89 at para. 84(12).

It is of concern that Monegasque legislation discriminates between boys and girls in that the legal age for marriage is 15 years for girls, but 18 years for boys (articles 23 and 26). Legislation should be amended to ensure that girls and boys are treated equally by making the legal age of marriage 18 years, regardless of sex.

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ICESCR

- Morocco, ICESCR, E/1995/22 (1994) 28 at paras. 116 and 123.

Paragraph 116

Concern is expressed at the incidence of child labour, often even under the minimum legal age of 12, and the lack of implementation of protective labour legislation with regard to children employed as domestic servants, in agriculture or in the informal or traditional sectors. It is also noted with concern that many of those children are not fully enjoying their right to education.

Paragraph 123

Efforts which are currently under way to raise the minimum working age are encouraged. Further measures should be taken to ensure that working children, including those in the informal sector and in agriculture, benefit from relevant protection at work and effectively enjoy their right to an education.

- Suriname, ICESCR, E/1996/22 (1995) 37 at para. 159.

Inconsistency is noted in the fact that, while young persons attain majority at the age of 21, men may marry from the age of 15 and women from the age of 13. It is noted with concern that the difference in the marriageable ages for men and women does not appear to conform with the provisions of articles 2 and 10 of the Covenant, or to be compatible with articles 2 and 3 of the Convention on the Rights of the Child. Deep concern is expressed about the possibility that under Surinamese law, a marriage partner may be appointed without his or her consent, which in general appears to affect women disadvantageously more often than men.

- Guatemala, ICESCR, E/1997/22 (1996) 29 at para. 144.

Further measures should be taken to prevent and combat the phenomenon of child labour, including through full respect for the international standards relating to the minimum age of employment for children.

- Guinea, ICESCR, E/1997/22 (1996) 39 at para. 203.

It is noted that many children work on farms, in small businesses and as street vendors. Observance of the Covenant requires that the Government implement the Labour Code provisions prohibiting child labour under the age of 16.

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- Peru, ICESCR, E/1998/22 (1997) 33 at para. 163.

It is recommended that the State party, in cooperation with UNICEF and ILO, launch a programme to combat the exploitation of child labour and the abandonment and exploitation of street children. Other steps should be taken to prevent and combat the use of child labour, based on the full observance of international standards relating to the minimum age for the employment of children, as set forth in ILO Convention No. 138 (Minimum Age Convention, 1973).

- Uruguay, ICESCR, E/1998/22 (1997) 67 at para. 370.

Deep concern is expressed about the situation of children in the State party. Child labour continues to be a serious problem, and the minimum working age as provided for in ILO Convention No. 138 (Minimum Age Convention, 1973) is not fully respected in the State party.

- Saint Vincent and The Grenadines, ICESCR, E/1998/22 (1997) 72 at para. 428.

Concern is expressed about the lack of social protection for working minors, due to the discrepancy between the minimum age for employment (16) and the minimum age for receiving a national insurance card (18).

- Sri Lanka, ICESCR, E/1999/22 (1998) 22 at paras. 73 and 88.

Paragraph 73

The existence of disparities between statutory law and customary law is noted with concern. The age for marriage in statutory law is 18 years but girls as young as 12 years of age are able to marry under customary law, as long as the parents consent. The practice of early marriage has negative impacts on the right to health, right to education and the right to work, particularly of the girl child.

Paragraph 88

The minimum legal age for marriage of 18 years, as well as inheritance laws affecting women, should be enforced, thereby superseding discriminatory customs and traditions.

- Mexico, ICESCR, E/2000/22 (1999) 62 at para. 384.

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The State party's lack of commitment to increase the minimum working age of children from 14 to 16 is regretted, since the age of 16 is when basic education is normally concluded.

- Morocco, ICESCR, E/2001/22 (2000) 82 at paras. 528, 552 and 555.

Paragraph 528

Concern is expressed that certain issues contained in the draft labour code, such as the minimum age for labour and conditions of child labour, are not in conformity with the relevant ILO Conventions (Nos. 138 and 182 respectively), which the State party has not yet ratified.

Paragraph 552

The State party is urged to adopt the draft labour code and to ensure that the provisions thereof are in conformity with articles 6, 7 and 8 of the Covenant, as well as with the relevant ILO conventions to which Morocco is party. In this regard, the State party is strongly encouraged to ratify ILO Conventions Nos. 87 (on trade unions), 138 (on minimum age), 169 (on indigenous and tribal peoples) and 12 (on the worst forms of child labour).

Paragraph 555

The State party is urged to take remedial action, including the imposition of appropriately severe penalties, in order to ensure that employers, especially in the handicraft and light industries, are prevented from resorting to child labour under the legal minimum working age. In addition, the State party is urged to raise the minimum working age from 12 to 15 years, in accordance with ILO standards (Convention No. 138).

- Hong Kong Special Administrative Region (China), ICESCR, E/2002/22 (2001) 39 at paras. 186 and 205.

Paragraph 186

It is of concern that the age of criminal responsibility is set at the young age of 7 years.

Paragraph 205

The laws should be amended to raise the age of criminal responsibility so as to ensure the rights of the child under article 10 of the Covenant.

- Syrian Arab Republic, ICESCR, E/2002/22 (2001) 67 at paras. 404, 407 and 421.

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Paragraph 404

Concern is expressed about the persisting discrimination in the political, social and economic spheres of life against women in society, which is particularly reflected in limited participation by women in the political and economic decision-making process, a low legal age of marriage for girls, more severe punishment of women for adultery and "honour crimes", and unequal treatment insofar as personal property and social security laws are concerned. It is regretted that the State party has not adopted any significant legislative or administrative measures to eliminate this discrimination, nor ratified the Convention on the Elimination of All Forms of Discrimination against Women.

Paragraph 407

It is regretted that the State party has not provided sufficient information on the incidence of child labour. Moreover, there is deep concern that the minimum working age is too low and that children working in family businesses and the agricultural sector are not protected by the relevant labour legislation.

Paragraph 421

Effective measures should be taken to incorporate a gender equality perspective in both legislation and in governmental policies and administrative programmes, with a view to ensuring equality of men and women and addressing, in particular, the problems of the low legal age of marriage for girls, the more severe punishment of women for adultery and "honour crimes", and the unequal treatment of women insofar as personal, property, succession and social security laws are concerned. The State party is also encouraged to ratify the Convention on the Elimination of All Forms of Discrimination against Women.

- Panama, ICESCR, E/2002/22 (2001) 73 at para. 455.

The Committee is deeply concerned about the persistent problem of child labour, especially in rural areas, and that the minimum age for employment is under 12 years in agricultural and domestic services. There is also concern about the lack of effective measures taken to protect children against sexual violence and other forms of exploitation.

CEDAW

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- Indonesia, CEDAW, A/53/38/Rev.1 part I (1998) 24 at paras. 284 and 307.

Paragraph 284

Concern is expressed at the existence of laws that are not in accordance with the provisions of the Convention. Discrimination against women exists in laws regarding family and marriage, including polygamy; age for marriage; divorce and the requirement that a wife obtain her husband's consent for a passport.

Paragraph 307

Immediate steps should be taken to eradicate the practice of polygamy and to change the other discriminatory laws identified in paragraph 284 above.

- Myanmar, CEDAW, A/55/38 part I (2000) 12 at para. 108.

That the legal age for marriage is 20 years for both sexes is noted with satisfaction.

- Republic of Moldova, CEDAW, A/55/38 part II (2000) 56 at paras. 113 and 114.

Paragraph 113

Concern is expressed over the differential ages of marriage established in the Family Code for boys and girls and the legal recognition of marriages of girl children, which is not in conformity with article 16, paragraph 2, of the Convention.

Paragraph 114

Legislation on the marriage age for women and men should be brought into full conformity with the Convention, taking into consideration general recommendation 21.

- Romania, CEDAW, A/55/38 part II (2000) 77 at paras. 318 and 319.

Paragraph 318

Concern is expressed over the different age of marriage established in the Family Code for boys and girls, and the fact that marriages of girl children can be legalized in contravention of article 16 of the Convention.

Paragraph 319

Legislation on the marriage age for women and men should be brought into full conformity with the Convention, taking into consideration general recommendation 21.

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- Maldives, CEDAW, A/56/38 part I (2001) 15 at para. 136.

Early marriage and domestic responsibilities contribute to high dropout rates for girls. Minimum age of marriage laws and other programmes should be introduced to prevent early marriage, in line with the obligations of the Convention.

CRC

- Bolivia, CRC, CRC/C/16 (1993) 13 at para. 36.

The diminished level of protection for girl children inherent in the lower minimum age for marriage is discriminatory and, as a result, deprives this group of children of the benefit of other protections afforded by the Convention.

- Sweden, CRC, CRC/C/16 (1993) 16 at para. 53.

Concern is expressed over the lack of clarity and apparent discrepancies contained in the law with regard to the definition of the child. It is noted that, although persons under 18 in Sweden do not enjoy full legal capacity, they may yet be subjected to military service and a person aged 15 or over can be accepted in the Home Guard Defence. That the age of sexual maturity has not been fixed, which threatens the protection of children from possible exploitation in the use of pornographic materials, is also of concern.

- El Salvador, CRC, CRC/C/20 (1993) 19 at para. 85.

There is a need to seriously consider questions relating to the legal definition of the child, in particular the minimum age for marriage, employment, military service and testimony before a court. It appears that these provisions do not sufficiently take into consideration the principles of the best interest of the child and non-discrimination.

- Colombia (preliminary), CRC, CRC/C/24 (1994) 18 at para. 75.

The rules on the minimum age of employment are below international standards and even then are not enforced.

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See also:

- Colombia, CRC, CRC/C/38 (1995) 16 at para. 89.

- France, CRC, CRC/C/29 (1994) 17 at para. 100.

In light of article 2 of the Convention, the State party should consider reviewing the present law on the minimum age for marriage.

- Jordan, CRC, CRC/C/29 (1994) 21 at para. 122.

In the field of the administration of juvenile justice, the Committee is concerned about the application of article 92 of the Penal Code, in accordance with which, although no one under 18 years of age may be held criminally responsible, criminal proceedings may be brought against children over 7 years of age.

- Chile, CRC, CRC/C/29 (1994) 25 at para. 152.

A legal system of administration of juvenile justice should be established in the light of the principles and provisions of the Convention, in particular articles 37 and 40, as well as other relevant United Nations standards, including the Beijing Rules, the United Nations Rules for the Protection of Juveniles Deprived of their Liberty and the Riyadh Guidelines. Such a legal system should also address the important question of the minimum age of criminal responsibility, particularly in light of the best interests of the child. Attention is drawn to the availability of the programme of advisory services and technical assistance of the Centre for Human Rights.

- Philippines, CRC, CRC/C/38 (1995) 12 at paras. 66 and 74.

Paragraph 66

Serious consideration should be given to raising the age limit for sexual consent and penal responsibility.

Paragraph 74

Further measures should be taken to implement the provisions of article 32, including in relation to the minimum age of access to employment, and efforts should be made to prevent and combat child labour in the country. Particular attention should be paid to children working in the informal sector.

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Technical assistance from the ILO in this area is recommended.

- Nicaragua, CRC, CRC/C/43 (1995) 10 at paras. 41 and 65.

Paragraph 41

The legislative reforms setting the age of completion of education at 12 years, and the minimum age for employment at 14 years, rendering children between the ages of 12 and 14 vulnerable to the risk of economic exploitation raises considerable concerns.

Paragraph 65

The Government should consider extending the provision of compulsory education to nine years of schooling, thereby ensuring at the same time that the age of completion of compulsory education will be harmonized with the minimum age for employment.

- Tunisia, CRC, CRC/C/43 (1995) 24 at paras. 125 and 131.

Paragraph 125

Concern is expressed over the fact that the legislative discrepancy between the age for completion of mandatory education and the minimum age for admission to employment may encourage adolescents to drop out from the school system.

Paragraph 131

Further thought should be given to possible ratification of ILO Convention No. 138 on the minimum age for admission to employment.

See also:

- Paraguay, CRC, CRC/C/66 (1997) 29 at para. 215.
 - New Zealand, CRC, CRC/C/62 (1997) 38 at para. 245.
 - Sierra Leone, CRC, CRC/C/94 (2000) at para. 197.
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- Sri Lanka, CRC, CRC/C/43 (1995) 26 at paras. 145 and 156.

Paragraph 145

The existence of disparities concerning the three different laws (Sri Lankan, Kandyan and Muslim) regulating the minimum age for marriage is worrisome. These legislations establish different minimum ages for marriage for boys and girls and authorize the marriages of girls as young as 12 years of age

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who have obtained parental consent. Such situations may raise the question of compatibility with the principles of non-discrimination and the best interests of the child.

Paragraph 156

The low age of criminal responsibility (8 years old) and the status of children between 16 and 18 years old who are considered by penal law as adults are matters of deep concern since those children are examined by adult courts.

- Senegal, CRC, CRC/C/46 (1995) 21 at para. 125.

The lack of conformity of legislative provisions in matters relating to the legal definition of the child is of concern. The lack of a minimum age below which children are presumed not to have the capacity to infringe penal law is also noted with concern.

- Yemen, CRC, CRC/C/50 (1996) 9 at paras. 32, 33 and 39.

Paragraph 32

Concern is expressed about the lack of conformity of legislative provisions with respect to the legal definition of the child, as is the case of the minimum age for marriage and the age of criminal responsibility, which are set at too low an age level.

Paragraph 33

The persistence of discriminatory attitudes towards girls, hampering the enjoyment of their basic rights including in situations of early marriage, is a deep concern. The lower marriageable age for girls than for boys raises serious questions as to its compatibility with the Convention, in particular article 2.

Paragraph 39

Special measures should be taken to raise the minimum age for marriage while ensuring that the age is the same for boys and girls. Similarly, the age of criminal responsibility should not be set at too low an age and it should be ensured that below such an age, children are presumed not to have the capacity to infringe the penal law, in the light of article 40, paragraph 3 (a) of the Convention.

- Yugoslavia (Serbia and Montenegro), CRC, CRC/C/50 (1996) 17 at para. 118.

The State party should consider the possibility of reviewing its legislation in relation to the age of sexual consent.

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- Republic of Korea, CRC, CRC/C/50 (1996) 26 at paras. 166 and 171.

Paragraph 166

The discrepancy between the age for completion of compulsory education and the minimum age for admission to employment is noted with particular concern.

Paragraph 171

Legislative measures should be adopted with a view to ensuring an equal minimum age of marriage for girls and boys, in the light of article 2, and raising the minimum age for employment with a view to adjusting it to the age of compulsory education.

- China, CRC, CRC/C/54 (1996) 18 at para. 117.

There is a need to consider questions relating to the definition of the child, including in relation to the age of criminal responsibility, so as to ensure that national legislation and related procedures duly take into consideration the provisions and general principles of the Convention, including the best interests of the child.

- Nepal, CRC, CRC/C/54 (1996) 25 at paras. 161 and 185.

Paragraph 161

The different marriage age of girls and boys, which is not in conformity with article 2 of the Convention, is a concern.

Paragraph 185

Nepal should consider ratifying ILO Convention No. 138 concerning the minimum age for admission to employment and review all relevant national legislation with a view to bringing it into conformity with the Convention on the Rights of the Child and other relevant international standards.

- Guatemala, CRC, CRC/C/54 (1996) 31 at paras. 205 and 216.

Paragraph 205

It is of deep concern that national legislation does not prohibit capital punishment or life imprisonment without the possibility of release, as required by the provisions of article 37 (a) of the Convention. Moreover, the absence in national legislation of a minimum age for criminal responsibility is a deep concern. Similarly, the low age of marriage for girls, which is different from

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the one for boys, is also incompatible with the principles and provisions of the Convention.

Paragraph 216

Legislative measures should be undertaken to ensure that national legislation conforms with the provisions of articles 37 and 40 of the Convention, including establishing a minimum age of criminal responsibility. The State party should set the age for completion of compulsory schooling at 15 and consider raising the minimum age of employment to 15. Further, the State party should review its legislation on the age of marriage for girls in the light of the principles and provisions of the Convention, notably those of its articles 2, 3 and 24, with a view to raising it and ensuring the same age for girls and boys.

- Cyprus, CRC, CRC/C/54 (1996) 38 at paras. 243 and 264.

Paragraph 243

The definition of the child, in particular the age of seven for criminal responsibility, is of concern. That children between 16 and 18 years of age are considered as adult offenders in the criminal justice system is also of concern.

Paragraph 264

Particular attention should be paid to raising the age of criminal responsibility and ensuring that persons between 16 and 18 years of age enjoy all the rights recognized in the Convention.

- Nigeria, CRC, CRC/C/57 (1996) 12 at para. 92.

National legislation must comply with the principle that capital punishment cannot be applied to children under the age of 18.

- Ethiopia, CRC, CRC/C/62 (1997) 12 at paras. 79 and 86.

Paragraph 79

Of particular concern is the setting of the age of criminal responsibility at 9 years and treating those of 15 years of age as adults. In this regard, it is regrettable that it was not made clear during the discussion whether the latter means that children above 15 years of age may be sentenced to life imprisonment or detained together with adults.

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Paragraph 86

The provisions for the minimum age of marriage for girls at 15 years should be abolished as a matter of priority.

- Panama, CRC, CRC/C/62 (1997) 19 at paras. 107, 118 and 119.

Paragraph 107

The minimum age for employment, which is under 12 in agriculture and domestic services, is a matter of concern.

Paragraph 118

The apparent absence in national legislation of minimum ages below which a child may not be deprived of liberty or be considered criminally responsible is of deep concern.

Paragraph 119

Legislation should define a minimum age below which children may not be deprived of their liberty. Legislation on the age of marriage for girls should be reviewed with a view to raising it.

- New Zealand, CRC, CRC/C/62 (1997) 38 at para. 224.

The lack of conformity of relevant domestic laws with the definition of the child under the Convention, especially with regard to the minimum age for charging a child with a serious offence and the minimum age of access to employment, is noted with concern. The appearance of a wide range of age cut-offs - which do not appear to be necessarily consistent - under legislation administered by various government entities for eligibility for different types of government support is of further concern.

- Cuba, CRC, CRC/C/66 (1997) 9 at paras. 62 and 68.

Paragraph 62

Harmonization of legislation, including with respect to the age of completion of compulsory schooling and the minimum age for employment, is recommended.

Paragraph 68

The minimum legal age of sexual consent should be reviewed as a matter of urgency, with a view to

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raising it.

- Bangladesh, CRC, CRC/C/66 (1997) 22 at paras. 135 and 149.

Paragraph 135

The lack of conformity between existing legislative provisions and the Convention with respect to the various age limits set by law, the lack of a definition of the child, the age of criminal responsibility, which is set at too young an age, and the possibility of imposing the death penalty, and/or imprisonment of children 16-18 years of age in ordinary prisons is of deep concern.

Paragraph 149

The administration of juvenile justice and its incompatibility with articles 37, 39 and 40 of the Convention and other relevant international standards, are matters of concern. Specifically, the very young age of criminal responsibility (7 years), the lack of adequate protection for children aged 16-18, grounds for arrest and detention of children that can include prostitution, "vagrancy" or "uncontrollable behaviour", the possibility of imposing heavy sentences on children and the solitary confinement and ill-treatment of children by the police are of concern.

- Paraguay, CRC, CRC/C/66 (1997) 29 at paras. 188 and 207.

Paragraph 188

Despite the policy that no person under 18 can be recruited for military service or serve, even with parental authorization, concern is expressed over the fact that there are still under-age juveniles coerced or pressured into military service.

Paragraph 207

Legislation on the minimum age for recruitment into the military should be rigorously enforced.

- Algeria, CRC, CRC/C/66 (1997) 35 at para. 240.

The law applicable in the case of rape of a minor excuses the perpetrator of the crime from penal prosecution if he is prepared to marry his victim, and is of deep concern. Furthermore, in order to legitimize celebration of marriage which would otherwise contravene the law, article 7 of the Algerian Family Code allows the judge to lower the age for marriage if the victim is a minor.

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- Lao People's Democratic Republic, CRC, CRC/C/69 (1997) 8 at paras. 44 and 77.

Paragraph 44

The lack of harmonization between the legal age for the end of compulsory education, which is 10, and the minimum legal age for employment, which is 15, is of concern.

Paragraph 77

The age at which compulsory education may be ended should be harmonized with the minimum age for work, by raising the former to 15. ILO Convention No. 138 concerning the minimum age for employment should be considered for ratification. Technical assistance should be sought from the ILO in this area.

- Australia, CRC, CRC/C/69 (1997) 16 at paras. 93 and 111.

Paragraph 93

Concern is expressed over employment of legislation on the federal level, as well as in all the states, that does not specify minimum age(s) below which children are not allowed to be employed. The law also does not prohibit the employment of children who are still in compulsory education. The minimum age of criminal responsibility is generally set at the very low level of 7 to 10 years, depending upon the state, and is of deep concern.

Paragraph 111

Specific minimum age(s) should be set for employment of children at all levels of government. There is also a need for clear and consistent regulations in all the states on maximum allowable work hours for working children who are above the minimum employment age. ILO Convention No. 138 concerning the minimum age for employment should be considered for ratification. The age of criminal liability, set at 10 years, is too low.

- Uganda, CRC, CRC/C/69 (1997) 21 at para. 143.

The prescribed age in the various national laws should be harmonized so as to eliminate inconsistencies, contradictions and gender disparities.

- Trinidad and Tobago, CRC, CRC/C/69 (1997) 33 at para. 223.

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Legislative reform should in particular address the areas of administration of justice, as well as the minimum ages for marriage, access to employment and criminal responsibility.

- Micronesia, CRC, CRC/C/73 (1998) 20 at paras. 109 and 118.

Paragraph 109

The absence of legislation regulating child labour and providing for a minimum age for employment, the absence of a clear definition of the minimum age for criminal responsibility, the low minimum age for sexual consent, the lack of harmonization between the different ages of sexual consent among the four states, and the lack of legislation on neglect, abuse and sexual exploitation are of concern. The possible conflicts between customary and statutory law, in particular for marriage and adoption, are also of concern.

Paragraph 118

The difference between boys and girls with regard to the minimum age of marriage, as well as the possibility for girls to marry at an earlier age than 16, is of concern.

- Democratic People's Republic of Korea, CRC, CRC/C/79 (1998) 13 at para. 83.

The fact that persons between the ages of 17 and 18 are considered adults by the penal system is of concern.

- Fiji, CRC, CRC/C/79 (1998) 18 at paras. 22 and 125.

Paragraph 122

The existing low minimum age for access to work, set at 12 years, is of concern.

Paragraph 125

The low minimum age for criminal responsibility, set at 10 years, and the fact that children aged between 17 and 18 years are not considered to be under the juvenile justice system are matters of concern.

- Japan, CRC, CRC/C/79 (1998) 25 at para. 181.

The same minimum age for marriage of boys and girls is recommended.

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- Maldives, CRC, CRC/C/79 (1998) 31 at paras. 208, 228 and 240.

Paragraph 208

The lack of clarity on the status of children aged between 16 and 18 years is of concern. In this regard, the low minimum ages for marriage and criminal responsibility are especially of concern.

Paragraph 228

The legal age of definition of the child, which is currently set at 16 years, should be raised. In this regard, the legal minimum ages for marriage and criminal responsibility should be reviewed.

Paragraph 240

Special procedures for children aged between 16 and 18, who are currently considered adults, should be developed to establish special courts for children and to review the provision of legal counselling for children in care centres.

- Luxembourg, CRC, CRC/C/79 (1998) 38 at paras. 257 and 262.

Paragraph 257

Of concern is the Penal Code's restricted protection from all forms of abuse and neglect of children under 14 years old.

Paragraph 262

The existence of child prostitution in the State party and the involvement of children in international prostitution networks are of concern. Of further concern is that it is not illegal for children above 16 years of age to get involved in prostitution.

- Iraq, CRC, CRC/C/80 (1998) 15 at paras. 72 and 83.

Paragraph 72

The early minimum age of voluntary enlistment into the armed forces is of deep concern. The legal minimum age of voluntary enlistment into the armed forces should be raised in the light of international human rights and humanitarian law.

Paragraph 83

The increase in the economic exploitation of children over the past few years and the increase in the number of children leaving school, sometimes at an early age, to work to support themselves and their

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families are matters of concern. In this regard, the existing gap between the age at which compulsory education ends (12 years old) and the minimum legal age for access to employment (15 years old) is also of concern. Research should be carried out on the situation with regard to child labour in the State party, including the involvement of children in hazardous work, to identify the causes and the extent of the problem. Legislation protecting children from economic exploitation should also cover the informal labour sector. The age at which compulsory education ends should be raised to coincide with the minimum legal age for employment.

- Bolivia, CRC, CRC/C/80 (1998) 22 at para. 103.

The use of the biological criterion of puberty to set different ages of maturity for boys and girls is of concern as this practice constitutes a form of gender-based discrimination which affects the enjoyment of all rights. The appropriate amendments should be introduced to the draft code for children and adolescents (*Proyecto de Código de los Niños, Niñas y Adolescentes*) and the minimum legal ages for work and marriage should be raised.

- Kuwait, CRC, CRC/C/80 (1998) 28 at para. 133.

The minimum legal age for criminal responsibility, presently set at 7, should be raised. All appropriate measures should be taken to raise the legal minimum age for marriage for girls, presently set at 15, to at least the same age as that set for boys, which is presently set at 17.

- Thailand, CRC, CRC/C/80 (1998) 35 at para. 167.

The low minimum legal age for criminal responsibility and the absence of an established legal age for the attainment of majority are of concern. Legislation should be reviewed in order to bring it into conformity with the provisions of the Convention.

- Austria, CRC, CRC/C/84 (1999) 7 at para. 43, 46 and 56.

Paragraph 43

Appropriate age and structures for medical counselling and treatment without parental consent should be set by law.

Paragraph 46

It is of concern that existing legislation protects children from sexual exploitation through

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pornography only up to the age of 14. All appropriate measures should be taken to ensure that the age of sexual consent does not conflict with the right of all children to be fully protected from exploitation. In this regard, consideration should be given to the recommendations formulated in the Agenda for Action adopted at the World Congress against Commercial Sexual Exploitation of Children held in Stockholm in 1996.

Paragraph 56

Legislation permitting children from the age of 12 to be involved in light work is of concern. Ratification of the ILO Convention No. 138 concerning Minimum Age for Admission to Employment and changing domestic legislation accordingly is recommended.

- Belize, CRC, CRC/C/84 (1999) 12 at para. 73.

The low minimum legal age for marriage (14) is of concern. The practice of not allowing children to pursue medical or legal counselling without parental consent, even when it is in the best interests of the child is of concern. The proposal of the State party to establish 16 years as the legal minimum age for conscription is also of concern. This legislation should be reviewed in order to bring it into conformity with the provisions of the Convention. A legal minimum age for conscription should be set and that age should be set at 18 years rather than 16 years.

- Guinea, CRC, CRC/C/84 (1999) 21 at para. 105.

The different minimum legal ages for marriage for boys (18) and girls (16) are of concern. The minimum legal ages for marriage should be increased and awareness-raising campaigns should be undertaken on the negative effects of early marriages.

- Yemen, CRC, CRC/C/84 (1999) 33 at paras. 166 and 184.

Paragraph 166

The legal "ages of maturity", which refer to the criterion of puberty, set at 10 years for boys and at 9 years for girls, and the low age of criminal responsibility (7 years) are too low and remain of concern. The fact that the legal minimum age for marriage of boys has been lowered from 18 to 15, instead of increasing the age for girls is of deep concern. Adequate reforms should be introduced to raise the legal age of maturity, criminal responsibility, and marriage.

Paragraph 184

The age of criminal responsibility, set at 7 years, is too low.

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See also:

- Belize, CRC, CRC/C/84 (1999) 12 at para. 89.
- Ghana, CRC, CRC/C/66 (1997) 15 at para. 101.

- Barbados, CRC, CRC/C/87 (1999) 9 at paras. 47 and 58.

Paragraph 47

The views of the child in accordance with his or her evolving capacity is excessively constrained by subjective interpretation under existing legislation. The Government, in its review of the legislation, should consider the need for the British common law “maturity principle,” in any case, to children younger than 16, and, in particular, the need to make it a requirement for courts and other institutions to seek and give due weight to the views of the child in all matters affecting him or her.

Paragraph 58

The existing legislation is unclear about the exact types and amount of work that are acceptable at different ages, including in connection with children assisting their families with agricultural or domestic tasks. The State party should take advantage of current preparations to ratify ILO Convention No. 138 on Minimum Age for Admission to Employment, by reviewing and clarifying its own legislation concerning work at different ages in order to maximize the protection of children against economic exploitation

- Saint Kitts and Nevis, CRC, CRC/C/87 (1999) 17 at para. 77.

The low legal age for criminal responsibility (8 years) is of concern. Furthermore, the Committee is concerned by the Prevention of Cruelty and Protection of Juveniles Clause of the Juvenile Act since it does not provide special protection for children between the ages of 16 to 18 years and by the absence in legislation of a legal age defining the attainment of majority. Legislation, especially with respect to criminal responsibility, should be reviewed in order to bring it into full conformity with the provisions and principles of the Convention.

- Honduras, CRC, CRC/C/87 (1999) 26 at para. 113.

The use of the biological criterion of puberty to set different ages of maturity between boys and girls is of concern. This practice constitutes a form of gender-based discrimination which affects the

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enjoyment of all rights. Domestic legislation should be reformed in order to bring it into full conformity with the principles and provisions of the Convention.

- Benin, CRC, CRC/C/87 (1999) 35 at para. 144.

The low minimum legal age for marriage of girls, 15 years under the Civil Code and 14 years under the Dahomey Code of Customary Law, is of concern. The disparity between the minimum legal ages for the marriage of boys (18-20 years) and that of girls is also of particular concern. It is regrettable that the new draft Personal and Family Code still does not adequately address these concerns. Legislation, especially relating to the legal ages for marriage and criminal responsibility, should be reviewed in order to bring it into conformity with the provisions of the Convention.

- Chad, CRC, CRC/C/87 (1999) 45 at paras. 181 and 183.

Paragraph 181

The different minimum legal ages for marriage under existing legislation for boys (18) and girls (14), and the lower age for girls which appears to be common for traditional customary law marriages are of concern. The minimum legal ages for marriage should be harmonized by increasing the minimum age for girls. Awareness-raising campaigns on the negative effects of early marriage should be undertaken.

Paragraph 183

Implementation of article 12 of the Convention regarding the need to give due weight to the views of the child in accordance with the age and maturity of the child is excessively constrained by subjective interpretation under existing legislation. Existing legislation should be reconsidered, without neglecting the need for special support of the right of children under 18 to give evidence in court without being accompanied by their parents or guardians.

- Nicaragua, CRC, CRC/C/87 (1999) 54 at para. 227.

Appropriate legal reforms and the harmonization of the minimum legal ages for access to work (currently 14) and for ending compulsory education (currently 12) should be undertaken. The minimum legal ages of marriage for boys and girls should be raised and equalized.

- Venezuela, CRC, CRC/C/90 (1999) 10 at para. 44.

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The different minimum age requirements for marriage for boys (16) and girls (14) as established in the State party's Civil Code is contrary to the principles and provisions of the Convention, especially its articles 2 and 3. The State party should harmonize and increase the legal minimum ages for marriages and undertake awareness-raising campaigns on the negative effects of early marriage.

- Russian Federation, CRC, CRC/C/90 (1999) 18 at para. 122.

Technical assistance should be sought from the ILO/IPEC when developing a comprehensive policy to prevent and combat the growing problem of child labour. Efforts to implement the provisions of ILO Convention No. 138 concerning the Minimum Age for Admission to Employment (1973) should be strengthened and consideration should be given to ratifying ILO Convention No. 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (1999).

- Vanuatu, CRC, CRC/C/90 (1999) 29 at para. 148.

The low minimum age for criminal responsibility (10 years) and the disparity between the minimum legal age for the marriage of boys (18 years) and that of girls (16 years) are matters of concern. Legislation should be reviewed in order to bring it into full conformity with the provisions and principles of the Convention.

- Mexico, CRC, CRC/C/90 (1999) 34 at para. 175.

The minimum legal ages for marriage of boys (16) and girls (14) are too low and are different for boys and girls. Legislative reform should be undertaken, both at the federal and state levels, to raise and equalize the minimum legal ages for marriage of boys and girls.

- Mali, CRC, CRC/C/90 (1999) 43 at para. 208.

The low minimum legal age for marriage of girls (15 years) as compared to that of boys (18 years) remains of concern. The Marriage and Guardianship Code should be amended to bring it into conformity with the provisions of the Convention.

- The Netherlands, CRC, CRC/C/90 (1999) 53 at paras. 255 and 261.

Paragraph 255

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Setting the age of recruitment into the armed forces at 18 years should be considered.

Paragraph 261

The Committee is seriously concerned about the implications of the reservation entered into by the State party on the applicability of adult criminal law to children over 16 years of age. Children aged 12 to 15 being tried under adult criminal law is also of serious concern. The existing law should ensure that no child under the age of 16 at the time of the commission of the crime is tried under adult criminal law. Furthermore, legislative steps should be taken to ensure that a life sentence cannot be imposed on children who are tried under adult criminal law.

- India, CRC, CRC/C/94 (2000) 10 at paras. 58, 59, 97, 99, 100, 111 and 113.

Paragraph 58

In the light of article 1, concern is expressed that the various age-limits set by the law are not in accordance with the general principles and other provisions of the Convention. Of particular concern is the very low age of criminal responsibility under the Penal Code, which is set at seven years; and the possibility of trying boys between 16 and 18 years as adults. There is no minimum age for sexual consent for boys. Minimum-age standards are poorly enforced (e.g. the 1929 Child Marriages Restraint Act).

Paragraph 59

The State party should review its legislation with a view to ensuring that age-limits conform to the principles and provisions of the Convention, and that greater efforts should be made to enforce those minimum-age requirements.

Paragraph 97

Minimum age standards for employment are rarely enforced and appropriate penalties and sanctions are not imposed to ensure that employers comply with the law.

Paragraph 99

Employers should be required to have and produce on demand proof of age of all children working on their premises.

Paragraph 100

The State party should ensure that laws provide criminal and civil remedies, especially in the light of decisions of the Supreme Court in relation to compensation funds for child labourers (*M.C. Mehta vs. The State of Tamil Nadu* and *M.C. Mehta vs. Union of India*). Enforcement of minimum-age standards should be vigorously pursued.

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Paragraph 111

Concern is expressed about the very young age of criminal responsibility - 7 years - and the possibility of trying boys between 16 and 18 years of age as adults. Noting that the death penalty is *de facto* not applied to persons under 18, the Committee is very concerned that *de jure*, this possibility exists.

Paragraph 113

It is recommended that the State party abolish the imposition of the death penalty on persons under 18. The State party should consider raising the age of criminal responsibility and ensure that persons under 18 years are not tried as adults. In accordance with the principle of non-discrimination contained in article 2 of the Convention, the Committee recommends article 2 (h) of the 1986 Juvenile Justice Act be amended to ensure that boys under 18 years are covered by the definition of juvenile, as girls already are.

See also:

- Armenia, CRC, CRC/C/94 (2000) 53 at paras. 316 and 317.
- Jordan, CRC, CRC/C/97 (2000) 31 at para. 204.

- Sierra Leone, CRC, CRC/C/94 (2000) 24 at paras. 137-144, 188, 197, 200 and 201.

Paragraph 137

The definition of a child is not consistent in domestic legislation. Under the Sierra Leone Citizenship Act of 1973 “a person shall be of full age if he has attained the age of 21 years”. Similarly, a “child” is defined in the Education Act as “a person under the age of 21 years” (State party report, para. 25). However, under the Prevention of Cruelty to Children Act a child is defined as a person under the age of 16.

Paragraph 138

Domestic legislation should be reviewed so as to ensure a consistent definition of a child and to adopt 18 years or above as the age of majority.

Paragraph 139

The Committee is very concerned at the practice of arranging marriages - under customary law - for very young girls, in particular against the free will of the child. Such practices violate the provisions and principles of the Convention on the Rights of the Child.

Paragraph 140

It is recommended that the State party undertake child rights promotional activities in communities

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which apply such customary law practices, explaining the rights of children in this regard with a view to ensuring that a minimum age for marriage is established, that it is the same for both boys and girls, and that girls are not forced into marriage.

Paragraph 141

Deep concern is expressed about the massive participation of children in armed forces in the State party, either as combatants or in other roles. No minimum age is established in national legislation for voluntary recruitment when the consent of a specified adult party is given.

Paragraph 142

The State party's announcement of its intention to pass legislation raising the minimum age of recruitment to 18 is noted. The State party is urged to move quickly towards this goal and to ensure that the new legislation is enforced.

Paragraph 143

The minimum age of criminal responsibility - set at 10 years by domestic legislation - is very low.

Paragraph 144

It is recommended that the State party review relevant legislation and raise the minimum age of criminal responsibility.

Paragraph 188

The State party should establish and strictly enforce legislation prohibiting the future recruitment, by any armed force or group, of children under the age of 18, in accordance with the African Charter on the Rights and Welfare of the Child.

Paragraph 200

The Committee is concerned that provisions in national domestic legislation providing protection to children from sexual exploitation and abuse only offer such protection to children up to the age of 14.

Paragraph 201

Domestic legislation should be reviewed in order to raise the age levels of such protection, and to ensure that boys benefit from the same protection as girls.

- Armenia, CRC, CRC/C/94 (2000) 53 at para. 345.

It is recommended that the State party ensure that the minimum age for admission to employment be enforced. Employers should be required to have and produce on demand proof of age of all children

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working on their premises. A national mechanism to monitor the implementation of standards at State and local levels should be established and empowered to receive and address complaints of violations.

See also:

- Kyrgyzstan, CRC, CRC/C/97 (2000) 51 at para. 323.
- Tajikistan, CRC, CRC/C/100 (2000) 53 at para. 316.

- Peru, CRC, CRC/C/94 (2000) 64 at paras. 364 and 379.

Paragraph 364

Concern is expressed about the application of Decree 895 (*Ley contra el Terrorismo Agravado*) and Decree 899 (*Ley contra el Pandillaje Pernicioso*), both establishing lower legal minimum ages for criminal responsibility than the one contained in the Code and therefore not in line with the principles and provisions of the Convention. The State party should consider developing alternative measures and programmes to deal with the problems addressed by Decrees 895 and 899 in order to bring them into line with the Convention on the Rights of the Child and the Children and Adolescents Code.

Paragraph 379

It is noted that the State party has submitted a proposal to Congress to raise the minimum legal age for admission to employment from 12 to 14 years. Nevertheless, the Committee remains concerned that economic exploitation of children remains one of the major social problems in the State party (e.g. in the indigenous communities in the highlands) and that law enforcement is insufficient to address this problem effectively. The State party is encouraged to complete as soon as possible its legislative reform to raise the minimum legal age for admission to employment to at least 14 years and is encouraged to consider ratifying the Minimum Age Convention, 1973 (No. 138).

- Grenada, CRC, CRC/C/94 (2000) 72 at para. 395.

The low legal age for criminal responsibility (7 years) is a concern. The legal age for criminal responsibility should be raised to a more internationally acceptable age, by reviewing its legislation in this regard.

See also:

- Egypt, CRC, CRC/C/103 (2001) 36 at paras 218 and 219.

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- South Africa, CRC, CRC/C/94 (2000) 81 at para. 430.

It is noted that the State party has drafted legislation to increase the legal minimum age for criminal responsibility from 7 to 10 years. A legal minimum age of 10 years is still a relatively low age for criminal responsibility. Concern is expressed that the legal minimum ages for sexual consent of both boys (14) and girls (12) are low and that legislation concerning this issue is discriminatory against girls. It is recommended that the State party reassess its draft legislation on criminal responsibility with a view to increasing the proposed legal minimum age (10 years) in this regard. The State party should increase the legal minimum ages for sexual consent for both boys and girls and ensure non-discrimination against girls in this regard.

- Islamic Republic of Iran, CRC, CRC/C/97 (2000) 8 at paras. 40, 41, 52, 53 and 73.

Paragraph 40

Concern is expressed that the definition of the child, under Note 1 of article 1212 of the Civil Code and Note 1 of article 49 of the Islamic Penal Law, which provide for the attainment of majority at predefined ages of puberty, result in arbitrary and disparate application of laws and discriminate between girls and boys with respect to legal capacity (including minimum age for marriage), civil liability and age of criminal responsibility.

Paragraph 41

Legislation should be reviewed so that the definition of the child and minimum age requirements conform to the principles and provisions of the Convention, and in particular that they are gender neutral, and it should be ensured that they are enforced.

Paragraph 52

Article 1041 of the Civil Code providing that the marriage of a minor is valid if the father or legal guardian has given his consent, notwithstanding the views of the child, is incompatible with the Convention.

Paragraph 53

The State party should take all necessary measures to halt early and forced marriages, including public education campaigns, particularly in rural areas.

Paragraph 73

The age for the end of compulsory education should be raised to the minimum age of admission to employment as set out under article 79 of the Labour Act should be raised. Employers should be required to have and produce on demand proof of age of all children working on their premises, and the State party should vigorously pursue enforcement of minimum-age standards. In light of the State

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party's assertion that child labour legislation is in conformity with ILO standards, the State party is encouraged to ratify the ILO Conventions concerning child labour, including the Convention concerning the Minimum Age for Admission to Employment (No. 138).

- Georgia, CRC, CRC/C/97 (2000) 18 at paras. 98, 99 and 136.

Paragraph 98

That the law does not include legal minimum ages for sexual consent and medical treatment without parental consent is of concern.

Paragraph 99

The State party should enact relevant legislation concerning the minimum legal ages for sexual consent and medical treatment without parental consent.

Paragraph 136

The State party's ratification of the ILO Convention concerning the Minimum Age for Access to Employment (No. 138) is welcomed.

- Jordan, CRC, CRC/C/97 (2000) 31 at paras. 172-174.

Paragraph 172

Noting efforts to raise the age of criminal responsibility to 12 years, the Committee, in light of its previous concluding observations, remains concerned at the existing very low age which is set at 7 years.

Paragraph 173

The efforts to raise the minimum age for marriage to 18 for both boys and girls are noted. Concern is expressed that the existing age-limits of 15 years for girls and 16 years for boys are too low and are discriminatory. Early and forced marriages, primarily in rural areas, are also a concern.

Paragraph 174

Legislation should be reviewed to ensure that the definition of the child and minimum age requirements conform to the principles and provisions of the Convention and are gender neutral, and steps should be taken to enact any necessary amendments promptly and ensure that they are enforced. In addition, the State party should continue its efforts in respect of public education campaigns to combat early and forced marriages, particularly in rural areas.

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- Kyrgyzstan, CRC, CRC/C/97 (2000) 51 at paras. 286 and 287.

Paragraph 286

Notwithstanding the definition of a minor as a person under 18 (the Law on the Protection of Minors' Rights), concern is expressed about the inconsistencies of this definition with other legislation and government decisions (e.g. Decisions No. 263 of 2 May 1997 and No. 150 of 8 April 1996 in relation to assistance paid to families of disabled children up to the age of 16 years), and the inadequate enforcement of minimum-age standards (i.e. with respect to early marriage, purchase of alcohol, etc.).

Paragraph 287

Legislation or policy relevant to persons under 18 should be consistent with the definition contained in the Law on the Protection of Minors' Rights and greater efforts should be made to enforce minimum-age requirements.

- Cambodia, CRC, CRC/C/97 (2000) 64 at paras. 353 and 354.

Paragraph 353

Concern is expressed about the lack of a clear legal definition of the child in the State party's legislation. In particular, concern is expressed at the lack of minimum legal ages of sexual consent and of criminal responsibility.

Paragraph 354

In light of the principles and provisions of the Convention, legislation should include a definition of the child. The State party should take into consideration, in the process of drafting its new legislation, the incorporation of minimum ages of criminal responsibility and sexual consent. Furthermore, the law on minimum age for marriage should be enforced.

- Malta, CRC, CRC/C/97 (2000) 75 at paras. 418, 419, 446 and 447.

Paragraph 418

It is acknowledged that the State party is reviewing its legislation to include a minimum legal age for medical counselling without parental consent. Nevertheless, concern is expressed that at present the minimum legal age for such counselling is set at 18 years. Concern is also expressed that the minimum legal age for criminal responsibility, set at 9 years, is too low.

Paragraph 419

The State party should review its domestic legislation regarding the minimum legal ages for criminal responsibility and for access to medical counselling without parental consent to bring them in

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accordance with the principles and provisions of the Convention, especially the best interests of the child.

Paragraph 446

Concern is expressed at the low age of criminal responsibility (9 years); at the assumption, contained in the State party's legislation, that a child between the ages of 9 and 14 could act with "mischievous intent"; and at the exclusion of children between the ages of 16 and 18 from the juvenile justice system.

Paragraph 447

In light of articles 37, 40 and 39 of the Convention and other relevant international standards such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, it is recommended that the State party undertake legislative reform to raise the minimum age of criminal responsibility; to eliminate the assumption that a child aged between 9 and 14 years could act with "mischievous intent"; and to ensure that the juvenile justice system covers all children under the age of 18.

- Suriname, CRC, CRC/C/97 (2000) 84 at paras. 467-472.

Paragraph 467

The low legal age of criminal responsibility (10 years) is of concern.

Paragraph 468

The legal age of criminal responsibility should be raised to a more internationally acceptable age by amending legislation in this regard.

Paragraph 469

The low legal minimum age for marriage of girls (15 years under the Civil Code and 13 years under the Asian Marriage Act) is of concern. The practice of early and forced marriages which affects mostly girls, particularly those living in the interior, is noted with concern. The low legal minimum age for marriage of boys (15 years) under the Asian Marriage Act is also a concern. Concern is also expressed about the disparity between the ages for boys and girls.

Paragraph 470

Legislation relating to the legal ages for marriage should be reviewed and brought into conformity with the provisions of the Convention and to eliminate discrimination. The State party should take

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all appropriate measures to raise awareness about the harmful effects of early and forced marriages, particularly on girls.

Paragraph 471

It is noted that education is compulsory for children between the ages of 7 and 12 years and that the legal minimum age for employment is 14 years. Concern is expressed that insufficient legal and other measures have been taken to protect adequately the rights of children between the ages of 12 and 14 years, who are beyond the age of compulsory education but too young to be legally employed.

Paragraph 472

The legal maximum age of compulsory education should be raised from 12 to at least 14 years to protect the rights of those children between the ages of 12 and 14 years, who are beyond the age of compulsory education but too young to be legally employed.

- Djibouti, CRC, CRC/C/97 (2000) 96 at paras. 534 and 353.

Paragraph 534

It is noted that the new draft Family Code will set the legal minimum age for marriage at 18 for both boys and girls. Current traditional practice considers 15 years as a suitable age for marriage for girls, while it is 18 for boys. The marriage age for girls is too low and is a form of gender discrimination not acceptable under the provisions of article 2 of the Convention.

Paragraph 535

The State party should continue its efforts to increase the legal minimum age for marriage and eliminate discrimination against girls in this regard, and it should consider the need for effective public information and sensitization activities to discourage early marriage.

See also:

- Egypt, CRC, CRC/C/103 (2001) 36 at paras. 220 and 221.

- Burundi, CRC, CRC/C/100 (2000) 17 at paras. 109, 110, 158 and 159.

Paragraph 109

Concern is expressed about the low minimum age of 12 at which formal education is no longer compulsory. Concern is also expressed about the difference in the legal minimum ages for marriage of girls and boys, and at the low minimum age of recruitment to the armed forces.

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Paragraph 110

The legal school-leaving age should be raised to 16, which is the age at which children are legally permitted to work. The State party should pursue its efforts to harmonize the minimum ages for marriage of girls and boys. Legislative measures should be taken to raise the minimum age of recruitment into the armed forces to 18.

Paragraph 158

That children under the established minimum age of criminal responsibility are frequently detained is a concern.

Paragraph 159

The State party is urged to ensure that no children under the age of 13 are detained or imprisoned, in accordance with domestic legislation.

- United Kingdom of Great Britain and Northern Ireland (Isle of Man), CRC, CRC/C/100 (2000) 31 at paras. 182, 183, 186 and 187.

Paragraph 182

It is of concern that the Children and Young Persons Bill proposes to abolish the presumption that children between the ages of 10 and 14 years are *doli incapax* (incapable of committing a criminal offence), which means that legally the minimum age of full criminal responsibility is lowered from 14 to 10 years. The low legal age for criminal responsibility in the Isle of Man (10 years) is a concern. Additionally, the law does not adequately provide for the special protection and care of children who have attained the age of 17 years.

Paragraph 183

It is strongly recommended that the Isle of Man reconsider its decision to abolish the principle of *doli incapax* for very young children. Legislation should be reviewed with a view to increasing the age of criminal responsibility and to ensuring full conformity with the principles and provisions of the Convention. Existing legislation should also be reviewed so as to guarantee adequate protection and care for all children below the age of 18 years.

Paragraph 186

While the intention to reduce the legal age for consent to homosexual relations from 21 to 18 years is noted, it remains of concern that a disparity continues to exist between the ages for consent to heterosexual (16 years) and homosexual relations.

Paragraph 187

All appropriate measures should be taken, including of a legislative nature, to prevent discrimination

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based on the grounds of sexual orientation and to fully comply with article 2 of the Convention.

- United Kingdom of Great Britain and Northern Ireland (Overseas Territories), CRC, CRC/C/100 (2000) 40 at paras. 229, 230, 233 and 234.

Paragraph 229

The low legal age of criminal responsibility in the Overseas Territories (8-10 years) is of concern. Concern is also expressed at the low minimum age for the consumption of alcohol in private in the Falkland Islands (5 years). Additionally, the law in most of the Overseas Territories does not provide for the special protection and care of children who have attained the age of 17 years.

Paragraph 230

A review of domestic legislation in the Overseas Territories is recommended, particularly as regards the legal age for criminal responsibility, to ensure full conformity with the provisions and principles of the Convention. Existing legislation should be reviewed so as to guarantee adequate protection and care for all children below the age of 18 years.

Paragraph 233

Insufficient efforts have been made to ensure the full implementation of article 2 of the Convention and discrimination based on gender, sexual orientation and birth status remains apparent in some of the Overseas Territories. In this regard, legislation relating to these issues, particularly with respect to sexual abuse and exploitation, as well as the legal minimum age for sexual consent, refers only to girls and does not provide equal and adequate protection for boys. The disparity between the ages for sexual consent to heterosexual and homosexual relations in some of the Overseas Territories is noted.

Paragraph 234

The Territories should amend their legislation to ensure that boys are provided equal and adequate protection against sexual abuse and exploitation.

- Colombia, CRC, CRC/C/100 (2000) 64 at para. 376.

While the prohibition of recruitment of children under the age of 18 into the armed forces is welcomed, the very high numbers of children who have been forcibly recruited into guerrilla and paramilitary groups is of deep concern.

- Marshall Islands, CRC, CRC/C/100 (2000) 89 at paras. 507, 508 and 538.

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Paragraph 507

The disparity between the minimum legal age for the marriage of boys (18 years) and that of girls (16 years) is of concern.

Paragraph 508

In light of article 1 and other related provisions and principles of the Convention, the State party is encouraged to pursue its efforts to review its legislation with a view to increasing the minimum age of marriage for girls to that for boys in order to bring it into full conformity with the provisions and principles of the Convention.

Paragraph 538

In light of existing international norms and standards, it is recommended that the State party adopt legislation on child labour including a prohibition, as well as a definition of hazardous and harmful work and/or of the activities considered to be hazardous, harmful to the child's health or development or to interfere with the child's education; an indication of the minimum age for admission to employment; and appropriate regulation of the working hours and conditions of employment of children. The State party is encouraged to consider ratifying ILO Convention No. 138 concerning Minimum Age for Admission to Employment.

See also:

- Fiji, CRC, CRC/C/79 (1998) 18 at para. 112.

- Comoros, CRC, CRC/C/100 (2000) 110 at paras. 618 and 619.

Paragraph 618

The lack of a uniform and clear definition of the age of majority in the Comoran legislation is a matter of concern. The lack of a uniform minimum legal age for marriage for both boys and girls and the occurrence of early marriages are also matters of concern.

Paragraph 619

The State party should continue its efforts to harmonize existing provisions concerning the age of majority to establish one clear age at which the child legally becomes an adult, increase the legal minimum age for marriage and ensure non-discrimination against girls in this regard, and consider the need for effective public information and sensitization activities to discourage early marriage.

- Ethiopia, CRC, CRC/C/103 (2001) 24 at paras. 144, 145, 156 and 157.

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Paragraph 144

The very low legal minimum age of criminal responsibility (9 years) is of concern. Concern is also expressed that children aged 15 to 18 are effectively considered to bear the same criminal responsibility as adults, albeit lesser penalties are applied to them than are applied to adults.

Paragraph 145

The minimum age of criminal responsibility should be raised and it should be ensured that children aged 15 to 18 years are accorded the protection of juvenile justice provisions and are not treated as adults. The State party should take advantage of the ongoing review of the Penal Code to introduce relevant changes to the law.

Paragraph 156

The continuing practice of early and forced marriage of children is a concern.

Paragraph 157

Every effort should be made to ensure that provisions in the new Family Code which raise the minimum age for marriage of both girls and boys to 18 are respected in practice and that forced marriages are prevented.

- Egypt, CRC, CRC/C/103 (2001) 36 at paras. 222, 223, 228 and 229

Paragraph 222

Concern is expressed about the discrepancy between the definition of a child, contained in article 2 of the 1996 Children's Code, as a person under 18 years, and the age of majority, set at 21 years in article 44 of the 1948 Civil Law.

Paragraph 223

The State party should harmonize its legislation in accordance with the Convention in order to avoid the situation where there are effectively two categories of minors: those under 18 years and those between 18 and 20 years of age.

Paragraph 228

The general principle of the best interests of the child contained in article 3 of the Convention is not sufficiently taken into consideration, including in matters relating to family law (e.g. custody upon separation in article 20 of Law No. 25/1929 as amended, is determined by the child's age rather than the child's best interests and is discriminatory).

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Paragraph 229

Legislation and administrative measures should be reviewed to ensure that article 3 of the Convention is duly reflected therein and taken into consideration.

See also:

- Islamic Republic of Iran, CRC, CRC/C/97 (2000) 8 at paras. 46 and 47.
- Lesotho, CRC, CRC/C/103 (2001) 57 at paras. 333 and 334.

Paragraph 333

The lack of clarity in the definition of the child is noted with concern. This is due to the fact that on the one hand the child is defined as a person under 18 years of age while on the other hand the age of majority still remains 21. Concern is also expressed about the different minimum legal ages for marriage, the absence of a defined minimum age of sexual consent for boys, the very high minimum age for consulting a doctor without parental consent and the extremely low minimum age of criminal responsibility - currently age seven.

Paragraph 334

Existing legislation should be reviewed and amended as appropriate in order to harmonize the age of majority and the overall definition of the child, to introduce one minimum legal age for marriage, to increase the minimum age for criminal responsibility, to address concerns related to the minimum age for consulting a doctor without parental consent and to establish one minimum age for sexual consent.

- Saudi Arabia, CRC, CRC/C/103 (2001) 71 at paras. 395, 396, 401 and 415.

Paragraph 395

Concern is expressed that the definition of the child is unclear under Saudi law and that the age of majority is not defined. For example, the absence of a defined minimum age for marriage may result in the arbitrary and disparate application of laws and discrimination between girls and boys.

Paragraph 396

The State party should review its legislation so that the definition of the child, the age of majority and other minimum age requirements conform to the principles and provisions of the Convention and are gender neutral in particular, and should ensure that they are enforced by law.

Paragraph 401

As the age of majority is not defined, there is a possibility that the death penalty may be imposed for offences committed by persons who were below 18 years at the time the crime was committed,

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contrary to articles 6 and 37 (a) of the Convention.

Paragraph 415

It is of concern that the age of majority is not defined, and in the absence of a published criminal code and code of criminal procedure, persons under 18 may be prosecuted for crimes in the same manner as adults (i.e. without special procedures) and be subject to the same penalties as adults. It is also noted with concern that females under 18 are detained with adult females under the 1975 Statutes of the Welfare Institutions for Young Women.

- Palau, CRC, CRC/C/103 (2001) 79 at paras. 446 and 447.

Paragraph 446

Concern is expressed regarding the low legal age for criminal responsibility (10 years). It is noted with concern that the State party has not yet established legal minimum ages for sexual consent of boys and employment for children. The National Youth Policy Task Force has proposed a narrowing of the definition of youth from 15-45 years to 15-34 years. However, the Task Force's new proposal still does not take into account the definition of the child (all persons below the age of 18 years) provided in the Convention.

Paragraph 447

The legal age for criminal responsibility should be raised. All appropriate measures should be taken to introduce legal minimum ages for sexual consent of boys and employment of children to ensure conformity with the principles and provisions of the Convention and to guarantee greater protection for all children below the age of 18 years. In the light of article 1 of the Convention, the State party should reconsider its proposal regarding the definition of youth.

- Dominican Republic, CRC, CRC/C/103 (2001) 91 at paras. 501 and 502.

Paragraph 501

The different minimum legal age for marriage with parental consent for girls (15 years) and for boys (16 years) is of concern.

Paragraph 502

The State party should raise and equalize the minimum legal age for marriage for boys and girls.

- Denmark, CRC, CRC/C/108 (2001) 10 at paras. 62 and 63.

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Paragraph 62

The inadequate implementation of article 12 of the Convention and the fact that children below the age of 12 years do not have a right to be heard are matters of concern.

Paragraph 63

The State party is urged to effectively promote and encourage respect for the views of children below the age of 12 years, according to his/her evolving capacities, and in light of article 12 of the Convention.

- Turkey, CRC, CRC/C/108 (2001) 18 at paras. 105, 106, 118, 141, 142, 145 and 146.

Paragraph 105

Concern is expressed about the disparity between the minimum legal age for marriage of boys (17 years) and of girls (15 years). In this regard, it is noted that in the draft civil code the minimum legal age for marriage has been raised to 17 for both boys and girls. It is also noted with concern that there is no clear minimum age for admission to employment and that this could conflict with the age for the end of compulsory education, which is set at 15.

Paragraph 106

In light of articles 1 and 2 and related provisions of the Convention, the State party is encouraged to pursue its efforts to review its legislation with a view to increasing the minimum age for marriage of girls to that of boys. It is also recommended that the State party set up the same age for the end of compulsory education and for admission to employment.

Paragraph 118

In light of articles 13 and 15 of the Convention, the State party should ensure that children can form, join and leave associations freely and, in particular, that young persons who have reached the legal age for being employed can form, join and leave trade unions freely.

Paragraph 141

The number of protocols that State party has signed with ILO, in particular that for the promotion of education of working children, is noted. However, concern is expressed that there is not a clear legal minimum age for working children. In this regard, the commission established under the Working Children Department of the Ministry of Labour and Social Security to prepare a draft "Law about the minimum age for work and protective measures for working children", which will cover all children who work, is noted. Nevertheless, the large number of children engaged in labour activities, in particular children working in the fields, domestic workers, children working in small enterprises and children working in the streets, who appear to be less protected by legislation, remains a matter of concern.

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Paragraph 142

The state party should continue to undertake measures to prevent and combat all forms of economic exploitation of children, including commercial sexual exploitation.

Paragraph 145

The major discrepancies between domestic legislation concerning juvenile justice and the principles and provisions of the Convention remain of deep concern. In particular, it is noted with concern that the minimum legal age for criminal responsibility is 11 and that the Juvenile Courts Law covers children only between the ages of 11 and 14, while children between 15 and 18 are subject to the Penal Law. It is also noted with concern that even children between 11 and 14 may not be subject to the Juvenile Courts Law if they are accused of having committed a crime falling under the jurisdiction of State security courts or military courts or if they live in areas under a state of emergency.

Paragraph 146

It is recommended that the State party continue to review the law and practices regarding the juvenile justice system in order to bring it into full compliance with the Convention, as well as with other relevant international standards in this area, with a view to raising the minimum legal age for criminal responsibility, extending the protection guaranteed by the Juvenile Law Court to all children up to the age of 18 and enforcing this law effectively by establishing juvenile courts in every province.

- Democratic Republic of the Congo, CRC, CRC/C/108 (2001) 31 at paras. 169, 170, 210, 223 and 224.

Paragraph 169

Concern is expressed at the low minimum age for criminal responsibility and at the young age of criminal majority, which is currently 16 years of age. Further concern is expressed at the difference in the minimum age of marriage for girls (15) and boys (18).

Paragraph 170

The minimum age of criminal responsibility should be raised and the age of criminal majority should be raised to 18, ensuring that all persons below age 18 benefit from international juvenile justice standards. The minimum age of marriage of girls should be raised to that applicable to boys.

Paragraph 210

Legislation should be adopted and implemented that establishes a minimum age for the completion of compulsory education and provides for genuinely free primary and, as far as possible, secondary education, with emphasis on assisting children from the most disadvantaged backgrounds.

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Paragraph 223

Concern is expressed that children aged 16 and 17 are considered to be adults for the purposes of criminal responsibility and that children 16 or above can, and have been, sentenced to the death penalty, which is a violation of article 37(a) of the Convention.

Paragraph 224

The implementation of a comprehensive reform of the administration of juvenile justice is recommended. The State party should adopt appropriate amendments to domestic legislation with regard to juvenile justice, with a view to ensuring full compliance with the Convention and other international standards. It is urged that the application of juvenile justice provisions be guaranteed to all persons aged under 18, in accordance with international standards. In particular, the State party is urged to ensure respect for article 37(a) of the Convention and that no person under 18 is sentenced to the death penalty or life imprisonment without possibility of release.

- Guatemala, CRC, CRC/C/108 (2001) 47 at paras. 249 and 250.

Paragraph 249

Concern remains about the disparity between the legal minimum age for admission to employment (14 years) and the age for the end of compulsory education (15 years). Further, it is noted that although a proposal to set the minimum legal age for marriage for both boys and girls at 16 was introduced in Congress, it was never considered.

Paragraph 250

In light of articles 1 and 2 of the Convention, legislation should be reviewed with a view to increasing the minimum age of marriage for girls to that for boys. It is further recommended that the minimum age for admission to employment be redefined so that it corresponds to the age at which compulsory education ends.

- Côte d'Ivoire, CRC, CRC/C/108 (2001) 59 at paras. 307, 308 and 341.

Paragraph 307

While noting the various proposals currently under discussion, concern is expressed about the disparity between the age of majority in civil matters (21 years) and in penal matters (18 years). The minimum age for criminal responsibility (10 years) is too low. Concern remains about the difference between the minimum legal age for marriage of boys (20 years) and that of girls (18 years). Moreover, it is of deep concern that no minimum age has been set for the end of compulsory education and that the practice of early marriage is still widespread.

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Paragraph 308

Legislation should be reviewed with a view to eliminating all disparities regarding minimum-age requirements, and greater efforts should be made to enforce the requirements. It is strongly recommended that the State party set a minimum age for the end of compulsory education and develop sensitization programmes to curb the practice of early marriage.

Paragraph 341

Every effort should be made to ratify and implement ILO Convention (No. 138) on the Minimum Age for Admission to Employment and ILO Convention (No. 182) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour. Assistance should be sought from ILO/IPEC in this regard.

- United Republic of Tanzania, CRC, CRC/C/108 (2001) 71 at paras. 374 and 375.

Paragraph 374

The various legal minimum ages, which are inconsistent, are discriminatory and/or too low.

Paragraph 375

The necessary legislative measures should be taken to:

- (a) Increase the legal age for criminal responsibility;
- (b) Establish a clear minimum age for marriage which should be the same for boys and girls;
- (c) Bridge the gap between the minimum age for work (15 years) and the age at which compulsory education ends (13 years), preferably by increasing the latter.

- Bhutan, CRC, CRC/C/108 (2001) 85 at paras. 448, 449, 476, 477, 480, 481, 484 and 485.

Paragraph 448

It is noted that courts generally interpret the law to include persons under 18 as children for all purposes.

Paragraph 449

Legislation should be reviewed with a view to ensuring that the definition of the child and minimum age requirements conform to the principles and provisions of the Convention, are gender neutral, are explicit and are enforced by law.

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Paragraph 476

The low age of 15 for voluntary enlistment in the armed forces is a matter of concern.

Paragraph 477

The State party should consider raising the age for voluntary enlistment in the armed forces to 18.

Paragraph 480

Concern is expressed about the absence of legislation on the minimum age for admission to employment, as well as insufficient information on children working, including in the informal sector, such as agriculture.

Paragraph 481

A national survey should be conducted on the causes and extent of child labour. The State party should establish a minimum age for admission to employment in accordance with the principles and provisions of the Convention, that is in conformity with the age of completion of education, and ensure that it is enforced; employers should be required to have, and to produce on demand, proof of age of all children working on their premises.

Paragraph 484

The system of the administration of juvenile justice is of concern. Particularly noted is the absence of information on the minimum age of criminal responsibility.

Paragraph 485

The State party should establish a minimum age of criminal responsibility that is in accordance with the principles and provisions of the Convention and ensure that the deprivation of liberty is used only as a measure of last resort, for the shortest possible time, is authorized by the court, and that persons under 18 are not detained with adults.

- Monaco, CRC, CRC/C/108 (2001) 97 at paras. 505, 506, 509 and 510.

Paragraph 505

The high age of majority (21 years) is noted. It is of concern that domestic legislation discriminates between boys and girls, providing that girls may legally marry without adult consent from age 15 and boys from age 18.

Paragraph 506

The State party should proceed with efforts to set the age of majority at 18. The State party should amend its legislation to ensure that both boys and girls are treated equally, and recommends in

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particular that the legal age of marriage be fixed for both boys and girls at age 18.

Paragraph 509

Children have insufficient opportunities under the law to have their opinions taken into consideration, and existing legal provisions overly restrict to specific ages those children whose opinions can be considered.

Paragraph 510

The State party should adopt legislation and practices providing for greater flexibility in the consideration of a child's opinion, in accordance with evolving capacities and with a view to providing greater opportunities for children to be heard.